

Reasons for the Inditement of the D. of York, presented to the Grand Jury of Middlesex, Saturday, June 26. 80. By the Persons hereunder Named.

I. **B**ecause the 25th. Car. 2d. when an Act was made to throw Popish Recusants out of all Offices and Places of Trust. The Duke of York did lay down several great Offices and Places (as Lord High Admiral of England, *Generalissimo* of all his Majesties Forces both by Land and Sea ; Governour of the Cinque Ports ; and divers others) thereby to avoid the Punishment of that Law against Papists.

II. 30th. Car. 2d. When an Act was made to disable Papists from sitting in either House of Parliament ; There was a *Proviso* inserted in that Act, *That it should not extend to the Duke of York* : On purpose to save his Right of sitting in the Lords House ; though he refuseth to take those Oathes which the Protestant Peers ought to do.

III. That his Majesty in his Speech March 6. the 31. year of his Reign, doth give for a Reason to the Parliament, why he sent his Brother out of England ; because he would leave no man room to say, that he had not removed all cause which might influence him to Popish Counsels.

IV. That there have been divers Letters read in both Houses of Parliament, and at the secret Committees of both Houses from several Cardinals and others at Rome; and also from other Popish Bishops and Agents of the Pope, in other Foreign parts, which do apparently shew the great correspondencys between the D. of Y. and the Pope. And how the Pope could not choose but weep for joy, at the reading of some of the Dukes Letters, and what great satisfaction it was to the Pope to hear the D. was advanced to the Cath. Religion. That the Pope has granted Breev's to the D. sent him Beads, ample Indulgences, with much more to this purpose.

V. That the whole House of Commons hath declared him to be a Papist in their Votes, Sunday, April 6th. 1679. Resolved, *nemine contradicente*, *That the Duke of York being a Papist, and the hopes of his coming such to the Crown, has given the greatest countenance and incouragement to the present Conspiracy and Designes of the Papists against the King and Protestant Religion.* — What this Conspiracy and Design is, will appear by a Declaration of both Houses of Parliament, March 25. 79. Resolved, *nemine contradicente*, *by the Lords Spiritual and Temporal, and Commons in Parliament Assembled*; *That they do declare, That they are fully satisfied, by the proofs they have heard, there now is, and for divers years last past hath been a horrid and Treasonable Plot and Conspiracy, contrived and carried on by those of the Popish Religion, for the Murthering of his Majesties sacred Person, and for the subverting the Protestant Religion, and the antient well established Government of this Realm.*

VI. That besides all this Proof, and much more to this purpose, it is most notorious and evident he hath for many years absented himself from Protestant Chnrches during Religious Worship.

These are the Reasons why we believe the Duke of York to be a Papist.

Huntingdon,	Sir Edw. Hungerford	Tho. Wharton,
Shaftsbury,	Kt. of the Bath,	Sir William Cooper, Barronet,
Gray of Wark,	Sir Hen. Calverly,	Sir Gilbert Gerrard, Barronet.
L. Russel,	Tho. Thyn, Esq;	Sir Scroop How.
L. Cavendish,	Will. Forrester, Esq;	
L. Brandon.	John Trenchard, Esq;	

The Jury was sent for up by the Court of Kings Bench, whilst they were on this Inditement, and Dismissed, so that nothing was further done upon it, saving that the Jury received the Presentment. And by the Dismission of the Jury, a very great number of Inditements were Discharged. A thing scarcely to be parallel'd, and of very ill consequence not only to many private Persons, but chiefly to the Publick.